



**US Army Corps
of Engineers®**
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: September 25, 2001

Comment Period Ends: October 25, 2001

File Numbers: 2000-02675 & 2000-01078

In Reply Refer To: Ted Lento

Maritimes & Northeast Pipeline, L.L.C. (Maritimes) and Algonquin Gas Transmission Company (Algonquin), 1284 Soldiers Field Road, Boston, Massachusetts 02135 have requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act to discharge dredge and fill material into waterways and wetlands for the installation of a natural gas pipeline in Essex, Middlesex, Suffolk, Plymouth and Norfolk Counties of Massachusetts. The proposed work is depicted on attached drawings entitled "M&NE PHASE III QUAD EXCERPTS WETLAND LOCATIONS" on 8 sheets dated 07/01, "PROPOSED HUBLINE PROJECT" on 11 sheets dated 8/11/2000, "PROPOSED DEER ISLAND LATERAL" on 2 sheets dated 9/6/2000, and "FEDERAL NAVIGATION CHANNELS" on 3 sheets dated 9/4/2001. The proposal is further described as follows:

WORK PROPOSED BY MARITIMES

Maritimes proposes to construct and operate a natural gas pipeline from its existing facilities in Methuen, Massachusetts to an interconnect with Algonquin's proposed HubLine pipeline facilities in Beverly, Massachusetts. The proposed HubLine pipeline facilities will extend from an interconnect with Maritimes in Beverly to an interconnection with Algonquin's pipeline system in Weymouth, Massachusetts. The proposed Maritimes Phase III project will consist of approximately 23.8 miles of 30-inch diameter pipeline and approximately one mile of 24-inch diameter pipeline, constructed primarily within or adjacent to an existing New England Power Company ("NEPCo") overhead electric transmission line corridor. The proposed route would travel in a southeasterly direction starting in Methuen and continuing through the communities of Haverhill, Boxford, North Andover, Middleton, North Reading, Peabody, Danvers, Salem and will end in Beverly, Massachusetts where it will interconnect with the proposed HubLine Project. Approximately 43.77 acres of wetland will be temporarily impacted by pipeline installation as noted on the attached Table 6-3 entitled "Wetlands Resource Areas Crossed and Impact Calculations". Water bodies crossed by the pipeline along with proposed time of year work restrictions are listed in the attached Table 6-2 entitled "Waterbodies Crossed by the Maritimes Phase II Project". Directional drilling is proposed under the Merrimack River, Emerson Brook Reservoir, Waters River, and Danvers River. However, if obstacles were encountered then a permit amendment would be requested to use cut and cover open trench dredging to bury the pipeline.

WORK PROPOSED BY ALGONQUIN

Algonquin plans to construct the HubLine Project, an offshore pipeline extending from Beverly, Massachusetts to Weymouth, Massachusetts. The HubLine Project will terminate with an interconnection to the Algonquin I-9 system at the Sithe Fore River Power Plant in Weymouth,

Massachusetts. The HubLine Project will consist of approximately 29.4 miles of 24-inch diameter pipeline with approximately 99 percent of the route being placed in offshore waters of Massachusetts. In addition, the HubLine Project will also include a 5.4-mile connection to the Massachusetts Water Resources Authority ("MWRA") existing Deer Island Wastewater Treatment facility ("Deer Island Lateral"). The proposed mainline route would travel offshore in a southerly Lynn, Nahant, Winthrop, Boston, Hull, Quincy, and Weymouth. The pipeline would traverse a portion of the State designated South Essex Ocean Sanctuary ("SEOS") that encompasses portions of Beverly Harbor, Salem Harbor and a portion of Massachusetts Bay. A total of approximately 12.5 miles of the pipeline would fall within the defined boundaries of the SEOS. At Beverly, the pipeline would connect to the Phase III Project facilities proposed by Maritimes. The Deer Island Lateral would traverse the municipal corporate boundaries of Nahant, Winthrop and Boston. The attached Table 5-3 provides details on the proposed offshore pipeline construction methods. The pipeline will be installed with sufficient cover to protect it from anchors. Typically, the pipeline will be buried with a minimum cover of 3 feet, however in known anchorages, the pipe may be installed with more than 3 feet of cover. The majority of the pipeline will be installed using plowing as the primary method of burial where feasible and directional drilling is proposed in intertidal areas, under Federal navigation channels, at the beginning of the HubLine in Beverly, at the end of the line in Weymouth, under Georges Island and for portions of the Deer Island Lateral in Winthrop. In areas where plowing and directional drilling are not feasible, then installation may involve jetting, dredging by clamshell bucket and blasting.

GENERAL INFORMATION

The purpose of the Projects is to: (i) enhance the reliability, deliverability and flexibility of the interstate natural gas pipeline grid in New England; (ii) serve existing and future markets along Phase III and Hubline routes; and (iii) provide an alternative delivery point for Maritime's shippers and a direct connection to the Algonquin system; and (iv) provide high pressure natural gas to markets in eastern Massachusetts and southern New England.

This project will impact Essential Fish Habitat (EFH) for finfish, anadromous finfish, shellfish and invertebrates. The Federal Energy Regulatory Commission has prepared a draft Environmental Impact Statement (EIS) that includes an EFH Assessment in appendix G that is being reviewed by the National Marine Fisheries Service (NMFS). Based upon this assessment of impacts to EFH, we have preliminarily determined that the project may have an adverse effect on EFH and therefore it is likely further EFH consultation will be required.

A copy of the draft Environmental Impact Statement prepared by the Federal Energy Regulatory Commission that provides further project details is available for review, by appointment, at our Concord office.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions concerning this project, please contact Ted Lento at (978) 318-8863 or use our toll free number (800) 343-4789 or (800) 362-4367 if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the

reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments, when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS

Karen Kirk Adams
Chief, Permits & Enforcement Branch
Regulatory Division

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which may reasonably accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that the likelihood exists for the proposed work to impinge upon properties listed in, or eligible for listing in, the National Register of Historic Places, and further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, have been, or will be obtained:

(X) Permit, License or Assent from State.

(X) Permit from Local Wetland Agency or Conservation Commission.

(X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

**If you would prefer not to continue receiving public notices, please check here () and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District,
ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.**

NAME:

ADDRESS: